G. R. S. IX-5]

Previous references.

File No. 527-21

1920.

Serial Nos. 1-4

(Inamdar)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 4.

Part B for July 22.

SUBJECT.

Appeal on the order directing the Sale of Cutta of Veerabhadradevaru temple lands.

To.

(4 Dharanappa, Guragolakoppa, Nagardik

No 30 dy 6-7-22

Dismissed. The appeal is dismissed

WD 1888—GPB—16,626—23-7-21

GENERAL AND REVENUE SECRETARIAT.

( )

NOTES.

File No

FILE HEADING.

Appeal petition of Dharamappa Ka[illegible] of Gu[illegible] Sola Koppa of the Hunsha village, praying [illegible] the D.C. order directing the sale of patta of [illegible] at Hunsha.

From

Dharamappa, Hunsha village & pa[illegible]

No. Pfn Dated 29 2 - 22. Received 27-2-22

Diary No. 3225	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that Survey No 7 belonging to the [illegible] temple ~~was~~ is in the possession of his family for [illegible] and during his minority the land was treated as [illegible] year 1880 without interruption of possession, and that the Amildar has subjected the land to the assessment and prays that in consideration of the uninterrupted enjoyment the entire survey number may be confirmed [illegible] Suitable assessment.

NOTES AND ORDERS.

The petition is sufficiently stamped and is in time.

Subd forwards with a draft forwarding the petn to D.C. for report

NOTES—First Sheet.

Thu 2/3/22 BB 2/3/22 WWM 2/2/22

R. S. III-2]

General and Revenue Secretariat.

Revs File No. 527 of 1921-22

Serial No	
2	To the Dy. Comm^r, Shimoga &c. no. 4854 & 7th March — Forwards the petition of Ry.^s
3.	From, the Dy. Comm^r, Shimoga Dist^t, Letter no. H.C. 356 & 11.5.22. Submits a detailed report with records called for in Sl.2. The Dy. Comm^r's report explains the facts of the case. Secretary's order — a Draft dismissing the appeal & the appl^n, duly with a memo forwarding a copy thereof to the Dy. Comm^r, to intimate.

Sd/- 7-3-22

Sd/- 31/5/22

The appellant hereby admits in his petn that the whole warg was treated as Inam with Inam Settlement of 1880 & he wanted to contest that decision, he should have done so within a reasonable (vide note to Inam Rule XXII page 229 of the Rev Manual).

NOTE—Contn. sheet.

G. R. S. III-2]

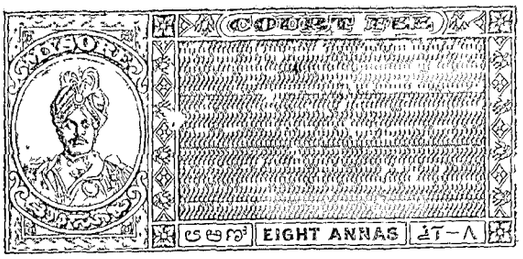
General and Revenue Secretariat. | File No. of 19

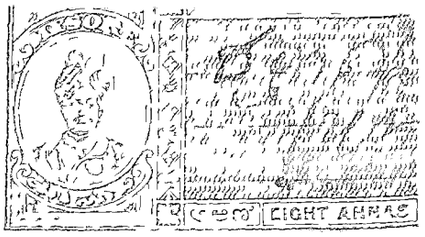
Serial No.

Contention is obviously invalid
Permanent lease is the nature your observation
& cannot be accepted in the case of

7444-222
16.6.22

4





Recd 1/2

4131-101
7.2.22

To be seen and filed with Camp business. This may be dealt in the usual course

Rec'd 7-2-22

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

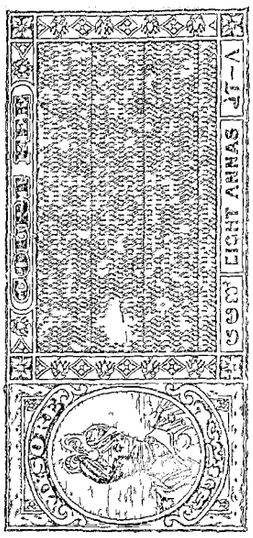
* * *

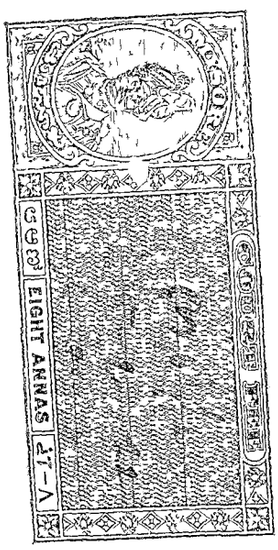
Appeal No. 101 of 1921-1922.

--:0:--

Dharanappa, son of Annappa of Gurugolakoppa of the Humcha Village, Nagar Taluk.	APPELLANT.

521-21-1





Boy Regd Petn duly stamped - Bkg 27/2/22

The appellant abovenamed begs to appeal against order No.301/P.C.587, dated the 27th November 1921 of the Deputy Commissioner (Exhibit I) Shimoga District, directing the sale of the gutta of Survey No. 7 of Veerabhadradevaru Temple at Humcha.

The facts of the case are in brief as follows:--

The temple of Veerabhadradevaru at Humcha is endowed with inam lands. From the Jamabandi Kulwar Chitta of 1839 (Ex. II) relating to Nagar Taluk, it will be seen that Dharanappa, grandfather of the appellant was in possession of the whole Survey number ½ Varaha beriz therein being the temple land. In the Chitta accounts of 1840 and the subsequent years it is mentioned that Dharanappa was in possession of both Sirkar and Inam lands till 1847 and in 1848 and subsequent years, Annappa, father of the appellant was in possession. In the Inam Register (Ex.III) it is noted that the Wargdar of the entire field as per chittas of 1848 and 1871 and Pahany of 1871 was

was the said Annappa and out of an extent of six kandagas of land, land with a beriz of Rs.17-0-3 was kandayam land belonging to the appellant's ancestors, the temple portion being Re.1-14-3 portion of land. The original patta of 1852 (Ex. IV) granted to the said Annappa is filed with the records. Though the whole warga including the Sirkar land in the appellant's kate was by mistake treated as Inam at the time of the Inam - - Settlement of 1880, the possession was not interfered with till now. The appellant was then a minor of 11 or 12 years and his mother prayed for the transfer of the entire field to his name in the year 1876. (Ex. II).

The Taluk Amildar subjected the land to the auction sale and the appellant protested - against it and appealed to the Deputy Commissioner; but that officer declined to interfere with the sale.

In the Deputy Commissioner's order it is observed that the appellant having agreed to pay in addition to a gutta of 4½ candies of paddy a migate of Rs.17/- he will have to be treated as a tenant at will etc. The appellant begs to - submit that he never agreed to pay any migate, that for the temple portion of the land he was giving 4½ candies or 225 seers of paddy and that for the remaining sirkar portion of the land he agreed to pay the kandayam only. The lands have been in the possession of his family ever since 1837 as per documents filed and that the lands having been banjar he has laid out heavy amounts for their improvement.

He prays that in consideration of the uninterrupted enjoyment of these lands by his family for over 85 years, the Chief Commissioner's Notification No.766, dated the 17th November 1877, may be applied to his case and the entire survey number confirmed to him on any suitable assessment which the Government may fix. There is no reason whatever to treat the Sirkar land in his holding as Inam to the temple.

He further represents that the local authorities are taking steps to take away the entire field from his possession and that heavy loss will be sustained if he be dispossessed of the lands and prays that, pending orders of - - Government on his appeal, the Taluk Amildar may be instructed to stay the execution of proceedings.

Dated 6th February 1922

* * * *

The petition is returned, being insufficiently stamped.

By order
Secretary
Mazrai Dept.

Bangalore
11th Feb: 22

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to——————

General and Revenue Secretariat

( )

, *the* *191*

Section

File No.

Serial No

No. 4 [illegible]

Date of issue 7-3-22

To The Deputy Commissioner Shimoga Dt

Signed by [illegible]

Sir,

I am directed to forward herewith for report with connected records petition registered as No. 3225 received on 26-2-22 from Dharanappa of Hunsha village, Nagar dy, praying that the mainland belonging to the Sri Veerabhadra devaru temple at Hunsha

over.

Echse 4-3

Given to
may be ~~Confirmed~~ on him
~~as suitable~~ assessment
I have re

Offr
Adm
2/3/22

2/3/22
Insp: Secretary

2/3/22

List of enclosures.

Copied by

Examined by

The Sch. wyd to
in this Mtr was
stamped. & as this
has been rec'd.
recently, as being
in unofficially stamped.
with this it is
returned back & this
proceeds with it.

Rd
16/7/22

S T
6.8.22.

Petition is
kept in Sec'd file. Secn
A reply was called for from
me. MW 6.8.22

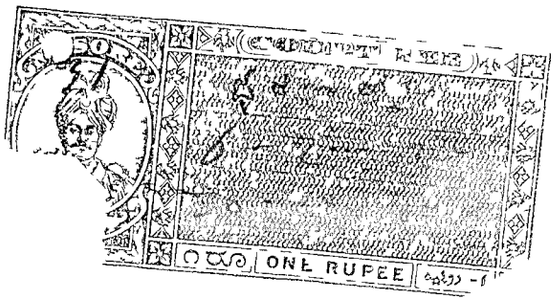
To

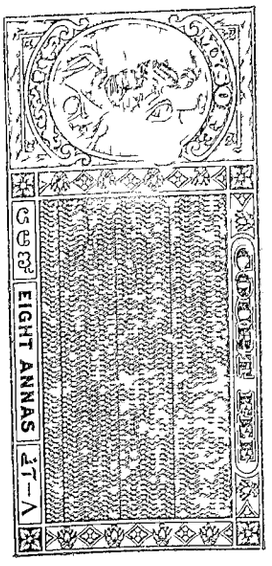
The

Despatching Clerk,
Mysore Govt. General
and Revenue Secretariat.

Received from Stamps

RS 16/2/22





Recd: 11.2.22. 4334-298 15.2.22

To The Mazgaon Secretary with compliments.

Rec'd.

15.2.22

3409

11 22

Office of the Deputy Commissioner,
Shimoga District.

No: L.O.358/Re.21-22.
Encl. three files.
+ one file.

Dated, Shimoga, 10/11th April, 1922.

From

G. Aravamudulonmar, Esq., B.A., B.L.,
Deputy Commissioner,
Shimoga District.

To

A. V. Ramanathan, Esq., B.A.,
(incharge) Huzrai Secretary to Govt.,
Bangalore.

Sir,

With reference to your letter No: 1854/Huz.527-21-2, dated the 7th March 1922, forwarding for report with connected records, an appeal petition from Dharanappa of Humcha village, Sagar Taluk, praying that the Inam land, belonging to Sri Veerabhadra Devaru temple at the place may be given to him for assessment, I have the honour to state as follows:--

Sri Veerabhadra Devaru temple at Humcha is endowed with inam survey number 7, wet, measuring 4 acres, one gunta and assessed at Rs. 17/-. The land was formerly in the possession of the petitioner Dharanappa and father Annappa as the Pujari of the temple though the actual services were conducted by another person who was being paid 4½ Khandies of paddy per annum. On a representation made by Mallappa, the Vahivatdar of the temple that the temple was in need of urgent repairs and that the payment made by Dharanappa was hardly sufficient for conducting the services in the temple, ~~Thereupon~~ the petitioner, Dharanappa was asked to pay a higher gutta conformably with the rate of rent in vogue in the neighbourhood. This he refused to do and the Sub Division Officer, Sagar

ordered

19

From

To

Dated

Despatched

Received

General No.

No.

Enclosure No.

ordered that the petitioner should be ~~ousted~~ evicted from the possession of the inam land and the same leased out as per rules by public auction.

2. The petitioner thereupon appealed to this Office on 3rd May 1918 and after hearing the petitioner, his appeal was dismissed on 16th October 1919 (Vide: Order in Huzrai Appeal Case No: 1 of 17-18). The right of cultivating the inam land was, in due course, sold by public auction for Rs 65/- and the sale confirmed in favour of one Ganappa by the Sub Division Officer, Sagar on 10th September 1920. Before the auction purchaser could be put in possession of the land, the appellant Dharanappa again petitioned this Office on 20th October 1920 to reconsider the order This application was rejected on 27th November 1921 on the ground that the whole question had been considered on merits and decided and that it could not therefore be reopened.

3. The present petition to Government is apparently against this latter order. The claim now put forward by the petitioner that the land in question is largely Government land is not tenable in view of the fact that the whole warg has been declared by the Inam Commissioner to be Inam.

4. The entire vernacular file ending with Sagar Sub Division Officer's No: N.358-21 dated the 16th April 1922, this Office files R.Dis.135/Rev.19-20 and D.2.Dis.301/Rev. 21-22 are submitted herewith for reference and return.

5. The petition with its enclosures received with the letter under reply, are also returned.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner.

K.S-2.

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to 4712

Section

File No. 547-4711

Serial No 4

General and Revenue Secretariat

( )

, *the* 191 .

No. 250

To

Date of issue 6-7-22

Signed by Mr. T. B. J. Iyer

over.